

FILED

FEB 10 2010

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
MIDLAND-ODESSA DIVISION

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY \_\_\_\_\_ DEPUTY CLERK

UNITED STATES OF AMERICA,

Plaintiff,

V.

CHARLES EDWARD CURRY,

Defendant.

) CRIMINAL NO. *MO: 09- CR- 211*

) SUPERSEDING

) INDICTMENT

)

) [Vio: 18 U.S.C. § 1343--

) Wire Fraud]

)

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)

)

THE GRAND JURY CHARGES:

Description of Fraudulent Scheme

1. At material times to this Indictment, Charles Edward Curry was employed at the West Texas Food Bank in Odessa, Texas and/or living at the Salvation Army in Odessa, Texas.
2. The West Texas Food Bank is a charitable organization that secures donations of money, as well as surplus foods and grocery products, for distribution through a network of charitable organizations, which are dedicated to feeding the hungry, and which cover 45,000 square miles in 22 west Texas counties.
3. The Salvation Army in Odessa, Texas provides emergency assistance in the form of food, shelter, and other services to people in need. When an individual seeks shelter at the Salvation Army, they are required to fill out a Temporary Housing Client Record Card, which includes personal identifying information such as Social Security number, date of birth,

driver's license number, and last permanent address.

4. At material times to this Indictment, Defendant CHARLES EDWARD CURRY spent approximately 26 nights at the Salvation Army. During that time he was not authorized to access the Temporary Housing Client Record Cards. Nevertheless, he did access such records, and then took possession of the actual records, including the personal identifying information, of at least 57 individuals who had stayed at the Salvation Army.
5. At material times to this Indictment, Defendant CHARLES EDWARD CURRY also acquired, without permission, the personal identifying information of fellow employees and volunteers of the West Texas Food Bank. In addition, Defendant CHARLES EDWARD CURRY obtained the checking account information of donors who submitted monetary donations by check to the West Texas Food Bank.
6. Beginning in November 2008, Defendant CHARLES EDWARD CURRY would utilize the personal identifying information of other individuals to open and attempt to open credit card accounts, bank accounts, and utilities accounts via the internet. Defendant CHARLES EDWARD CURRY would open or attempt to open these accounts in the name of the fellow employees, Salvation Army tenants, and donors, but would use his residential address in Odessa as the billing and shipping address. Once an account was successfully established using the other individual's name and other identifying information, Defendant CHARLES EDWARD CURRY would incur charges on the credit accounts. The majority of the purchases

were made via the internet. For example, Defendant CHARLES EDWARD CURRY purchased internet service, flowers, utilities, and lawn and garden supplies. On at least one occasion, Defendant CHARLES EDWARD CURRY paid a traffic ticket he received in his own name from the City of Odessa by using a credit card he had created in the name of someone who previously stayed at the Salvation Army. Usually, Defendant CHARLES EDWARD CURRY would pay the credit accounts online by using the bank account information (routing and account numbers) obtained from the checks written by donors to the West Texas Food Bank.

7. In all, the Defendant was responsible for obtaining thousands of dollars in money or goods by fraudulent pretenses.

**COUNTS ONE THROUGH FOUR**  
**[18 U.S.C. § 1343]**

8. Paragraphs 1-7 of the "Description of Fraudulent Scheme" section of the Indictment are hereby incorporated as if set forth in full.
9. Beginning in approximately November 2008, and continuing until approximately August 2009, in the Western District of Texas and elsewhere, the Defendant,

**CHARLES EDWARD CURRY,**

for the purpose of executing a scheme and artifice to defraud various victims and obtain money from those victims by means of materially false and fraudulent pretenses, representations, and promises, intentionally and

knowingly transmitted and caused to be transmitted via email and internet a series of credit applications and payments to credit accounts from Texas to other states, including but not limited to South Dakota, which process caused writings, signs and signals to be transmitted in interstate commerce.

10. On or about each of the dates listed below, fraudulent transactions were transmitted by interstate wires from Texas to other states in execution of the fraudulent scheme:

COUNT	APPROXIMATE DATE	ACCOUNT	VICTIMS
1	February 17, 2009	First Premier Bank credit card ending 7067	G.C. and S.F.
2	February 25, 2009	First Premier Bank credit card ending 7067	G.C. and S.F.
3	March 6, 2009	First Premier Bank credit card ending 5474	R.A. and M.T.
4	March 15, 2009	First Premier Bank credit card ending 5474	R.A. and M.T.

All in violation of Title 18, United States Code, Section 1343.

**COUNT FIVE**  
**[18 U.S.C. § 1028A]**

That on or about February 17, 2009, in the Western District of Texas, the Defendant,

**CHARLES EDWARD CURRY,**

did knowingly use without lawful authority, a means of identification of another person, to wit: G.C.'s social security number, and S.F.'s bank account information, during and in

relation to a violation of Title 18, United States Code, Section 1343, as set forth in Count One of this Indictment, which is hereby incorporated by reference.

All in violation of Title 18, United States Code, Section 1028A.

**COUNT SIX**  
**[18 U.S.C. § 1028A]**

That on or about February 25, 2009, in the Western District of Texas, the Defendant,

**CHARLES EDWARD CURRY,**

did knowingly use without lawful authority, a means of identification of another person, to wit: G.C.'s social security number, and S.F.'s bank account information, during and in relation to a violation of Title 18, United States Code, Section 1343, as set forth in Count Two of this Indictment, which is hereby incorporated by reference.

All in violation of Title 18, United States Code, Section 1028A.

**COUNT SEVEN**  
**[18 U.S.C. § 1028A]**

That on or about March 6, 2009, in the Western District of Texas, the Defendant,

**CHARLES EDWARD CURRY,**

did knowingly use without lawful authority, a means of identification of another person, to wit: R.A.'s social security number, and M.T.'s bank account information, during and in relation to a violation of Title 18, United States Code, Section 1343, as set forth in Count Three of this Indictment, which is hereby incorporated by reference.

All in violation of Title 18, United States Code, Section 1028A.

**COUNT EIGHT**  
**[18 U.S.C. § 1028A]**

That on or about March 15, 2009, in the Western District of Texas, the Defendant,

**CHARLES EDWARD CURRY,**

did knowingly use without lawful authority, a means of identification of another person, to wit: R.A.'s social security number, and M.T.'s bank account information, during and in relation to a violation of Title 18, United States Code, Section 1343, as set forth in Count Four of this Indictment, which is hereby incorporated by reference.

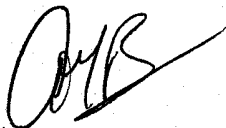
All in violation of Title 18, United States Code, Section 1028A.

A TRUE BILL.

*Original signed by the  
foreperson of the Grand Jury*

\_\_\_\_\_  
FOREPERSON OF THE GRAND JURY

JOHN E. MURPHY  
United States Attorney



AUSTIN M. BERRY  
Assistant United States Attorney

PERSONAL DATA SHEET  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

SEALED:		UNSEALED: XX
COUNTY: Ector	DIVISION: MIDLAND/ODESSA	JUDGE: JUNELL
DATE: February 10, 2010	MAG CT #: N/A	FBI #:
CASE NO: MO-09-CR-211	ASSISTANT U.S. ATTORNEY: AUSTIN M. BERRY	
DEFENDANT: CHARLES EDWARD CURRY		DOB: XXXX
ADDRESS: XXXXXXXXXXXXXXXXXXXXXXXX		
CITIZENSHIP: USC      INTERPRETER NEEDED No      LANGUAGE:		
DEFENSE ATTORNEY: No attorney yet		EMPLOYED APPOINTED
DEFENDANT IS:		
DATE OF ARREST:		BENCH WARRANT:
PROBATION OFFICER:		
NAME AND ADDRESS OF SURETY:		
YOUTH CORRECTIONS ACT APPLICABLE: No		
PROSECUTION BY: Indictment		
OFFENSE (Code and Description): Cts. 1-4: 18 USC 1343 - Wire fraud; Cts. 5-8: 18 USC 1028A - Aggravated Identity Theft		
OFFENSE IS: FELONY		
MAXIMUM SENTENCE: Cts. 1-4 (each): A term of imprisonment not to exceed 20 years; a term of supervised release not to exceed 3 years; a fine not to exceed \$250,000; and a \$100 mandatory special assessment; Cts. 5-8 (each): A mandatory term of imprisonment of 2 years to run consecutive to each related counts (1-4); a term of supervised release not to exceed 3 years; a fine not to exceed \$250,000; and a \$100 mandatory special assessment.		
PENALTY IS MANDATORY: As stated above.		
REMARKS: AGENT: Leslie Goodson Odessa Police Department 205 N. Grant Odessa, Texas 79761 432-333-3641 main 432-335-3384 fax 432-335-3381 narcotics		